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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Argentina, Armenia, Australia, Austria, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Canada, Chile, Costa Rica, Croatia, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Ethiopia, Finland, Georgia, Germany, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, Norway, Panama, Peru, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, United Kingdom of Great Britain and Northern Ireland and Uruguay: revised draft resolution

Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992 on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and taking into consideration article 27 of the International Covenant on Civil and Political Rights[1] as well as other relevant existing international standards and national legislation,

Recalling also its subsequent resolutions on the effective promotion of the Declaration, as well as Human Rights Council resolutions 6/15 of 28 September 2007, by which the Council established the Forum on Minority Issues, and 7/6 of 27 March 2008 on the mandate of the independent expert on minority issues,

Noting that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contributes to political and

[1] See resolution 2200 A (XXI), annex.

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social stability and peace and enriches the cultural diversity and heritage of society, as reaffirmed in the 2005 World Summit Outcome,[2]

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, as well as full and effective participation in matters affecting them, contribute to the prevention and peaceful solution of human rights problems and situations involving them,

Expressing concern at the frequency and severity of disputes and conflicts involving persons belonging to national or ethnic, religious and linguistic minorities in many countries and their often tragic consequences, and that they often suffer disproportionately from the effects of conflict resulting in the violation of their human rights and are particularly vulnerable to displacement through, inter alia, population transfers, refugee flows and forced relocation,

Emphasizing the need for reinforced efforts to meet the goal of the full realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, including by addressing economic and social conditions and marginalization, as well as to end any type of discrimination against them,

Emphasizing also the importance of human rights education, training and learning as well as of dialogue and interaction among all relevant stakeholders and members of society on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities as an integral part of the development of society as a whole, including the sharing of best practices such as for the promotion of mutual understanding of minority issues, managing diversity by recognizing plural identities and promoting inclusive and stable societies as well as social cohesion therein,

Emphasizing further the important role that national institutions can play in the promotion and protection of rights of persons belonging to national or ethnic, religious and linguistic minorities as well as in early warning and awareness raising for problems regarding minority situations,

Acknowledging that the United Nations has an important role to play regarding the protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities by, inter alia, taking due account of and giving effect to the Declaration,

1. *Reaffirms* the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, as proclaimed in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and draws attention to the relevant provisions of the Durban Declaration and Programme of Action,[3] including the provisions on forms of multiple discrimination;

2. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities,

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[2] See resolution 60/1.

[3] See A/CONF.189/12 and Corr.1, chap. I.

as set out in the Declaration, including through the encouragement of conditions for the promotion of their identity, the provision of adequate education and the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country, without discrimination, and to apply a gender perspective while doing so;

3. *Urges* States to take, as appropriate, all necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration, and appeals to States to cooperate bilaterally and multilaterally, in particular on the exchange of best practices and lessons learned, in accordance with the Declaration, in order to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities;

4. *Welcomes* in this regard the initiative of the Office of the United Nations High Commissioner for Human Rights to organize, in cooperation with the International Labour Organization and the United Nations Office on Drugs and Crime, the expert meeting on integration with diversity in policing, held in Vienna on 15 and 16 January 2008, bringing together police service professionals of different regions and countries of the world in order to share good experiences and lessons learned in relation to the inclusion of persons belonging to national or ethnic, religious and linguistic minorities in law enforcement systems, and takes note of the ongoing work on the elaboration of the Office of the United Nations High Commissioner for Human Rights guidelines on integration with diversity in policing;[4]

5. *Encourages* States, in their follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to include aspects relating to persons belonging to national or ethnic, religious and linguistic minorities in their national plans of action and, in this context, to take forms of multiple discrimination fully into account;

6. *Commends* the independent expert on minority issues for the work that she has undertaken so far, for the important role that she has played in raising the level of awareness of and in giving added visibility to the rights of persons belonging to national or ethnic, religious and linguistic minorities and for her ongoing efforts to promote and protect their rights in order to ensure equitable development and peaceful and stable societies, including through close cooperation with Governments, the relevant United Nations bodies and mechanisms and non-governmental organizations, as provided for in Human Rights Council resolution 7/6;

7. *Calls upon* all States to cooperate with the independent expert in the performance of the tasks and duties mandated to her, and encourages the specialized agencies, regional organizations, national human rights institutions and non-governmental organizations to develop regular dialogue and cooperation with the mandate holder;

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[4] Office of the United Nations High Commissioner for Human Rights report on the expert meeting on integration with diversity in policing: http://www2.ohchr.org/english/issues/minorities/seminar.htm.

8. *Takes note with appreciation* of the decision of the Human Rights Council to establish the Forum on Minority Issues,[5] which shall provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities as well as thematic contributions and expertise to the work of the independent expert on minority issues and identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the Declaration;

9. *Invites* States, United Nations mechanisms, bodies, specialized agencies, funds and programmes, regional, intergovernmental and non-governmental organizations and national human rights institutions as well as academics and experts on minority issues to participate actively in the inaugural session of the Forum on Minority Issues, to be held on 15 and 16 December 2008 in Geneva, which is dedicated to the subject of the rights of persons belonging to minorities and the right to education;

10. *Calls upon* the United Nations High Commissioner for Human Rights to promote, within her mandate, the implementation of the Declaration, to continue to engage in a dialogue with Governments for that purpose and to regularly update and disseminate widely the United Nations Guide for Minorities;

11. *Welcomes* the inter-agency consultation of the High Commissioner with United Nations agencies, funds and programmes on minority issues, and calls upon those agencies, funds and programmes to contribute actively to this process;

12. *Also welcomes* the cooperation of the independent expert on minority issues with United Nations agencies, funds and programmes, such as the United Nations Children's Fund, the United Nations Development Programme and the United Nations Educational, Scientific and Cultural Organization, in continuing their engagement with persons belonging to national or ethnic, religious and linguistic minorities in their work in all parts of the world;

13. *Requests* the High Commissioner to continue her efforts to improve the coordination and cooperation among United Nations agencies, funds and programmes on activities related to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities and to take the work of relevant regional organizations active in the field of human rights into account in her endeavours;

14. *Invites* the human rights treaty bodies when considering reports submitted by State parties as well as special procedures of the Human Rights Council to continue to give attention, within their respective mandates, to situations and rights of persons belonging to national or ethnic, religious and linguistic minorities;

15. *Invites* the High Commissioner to continue to seek voluntary contributions to facilitate the effective participation of representatives of non-governmental organizations and persons belonging to national or ethnic, religious and linguistic minorities, in particular those from developing countries, in minority-related activities organized by the United Nations, particularly its human

[5] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, resolution 6/15.

rights bodies, and in doing so to give particular attention to ensuring the participation of young people and women;

16. *Invites* the independent expert on minority issues to report to the General Assembly on the implementation of the present resolution at its sixty-fifth session;

17. *Decides* to continue consideration of the question at its sixty-fifth session under the item entitled "Human rights questions".